**GOVERNMENT OF ANDHRA PRADESH**
**ABSTRACT**

Public Services – Prohibition & Excise Department - Departmental Proceedings initiated against Sri Y.B.Bhaskara Rao, the then Deputy Commissioner, Eluru, West Godavari District for giving permission to sell liquor above the MRP Rates by accepting huge bribe – Under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules – 1991 – Articles of Charges – Issued.

---

**REVENUE (VIGILANCE.IV) DEPARTMENT**

**G.O.Rt.No.540** **Dated:23.06.2020.**

**Read the following:-**

1. From CPE's e-file No.COPE-22022/20/2018-B-SEC-COPE along with its enclosures.
2. Govt., Memo.No.19022/7/2018-VIG-IV-REV, Rev(Vig.IV)Dept., Dt:20-05-2020.
3. Govt., Memo.No.19022/7/2018-VIG-IV-REV, Rev(Vig.IV)Dept., Dt:29-05-2020.
4. Govt DO.Lr.No. 19022/7/2018, Dt:6.06.2020.
5. From Commissioner, Proh & Excise, A.P., Vijayawada, Letter FILE No. REV04-11030/16/2020-A SEC-COPE, Dt:19.06.2020 along with draft AoCs.

****

**ORDER:**

It is proposed to hold an enquiry against Sri Y.B.Bhaskara Rao, the then Deputy Commissioner, Eluru, West Godavari District for committing grave misconduct in his legitimate duties, in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Article of Charges (Annexure-I). A list of documents by which, and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure - II,III & IV).

3. Sri Y.B.Bhaskara Rao, the then Deputy Commissioner, Eluru, West Godavari District is directed to submit a written statement of his defence, if any, within 10 days of the receipt of this orders.

4. Sri Y.B.Bhaskara Rao, the then Deputy Commissioner, Eluru, West Godavari District is informed that an inquiry will be held only in respect of those article of charges which are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Y.B.Bhaskara Rao, the then Deputy Commissioner, Eluru, West Godavari District is further informed that if he does not submit his written statement of defence on or before the date specified in Para 3 above further action will be processed based on the material available.

6. Attention of Sri Y.B.Bhaskara Rao, the then Deputy Commissioner, Eluru, West Godavari District is invited to Rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt, to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**RAJAT BHARGAVA**
**SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)**

To

Sri Y.B.Bhaskara Rao, the then Deputy Commissioner, Eluru, West Godavari District, through Commissioner of Prohibition and Excise, Andhra Pradesh, Vijayawada.

The Commissioner of Prohibition & Excise, Andhra Pradesh, Vijayawada (with a request to serve the G.O. to the individual and furnish served copy with dated signature for record).

SC/SF.

**//FORWARDED :: BY ORDER//**

**SECTION OFFICER**

## ANNEXURE - I

**STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI Y.B.BHASKARA RAO, THE THEN DEPUTY COMMISSIONER, ELURU, WEST GODAVARI DISTRICT**

Sri Y.B.Bhaskara Rao, the then Deputy Commissioner, Eluru, West Godavari District is herein referred as Charged Officer.

**Charge - I:**

That the charged officer, while working as a Deputy Commissioner, Eluru West Godavari District being a uniformed Government Servant has committed grave misconduct by giving permission to sell the liquor above the MRP Rates by accepting huge bribes which is a serious negligence, criminal misconduct and dereliction of duty.

Thus the individual being a Government employee exhibited lack of devotion to duty and committed gross negligence in discharging his legitimate duties; thereby he violated Rule 3(1) of Andhra Pradesh Civil Services Conduct Rules, 1964.

**Charge - II:**

That the uniformed Government Servant being the head of the excise unit and who is suppose to prevent the MRP violation in the excise unit thereby he violated Rule 3(3) of Andhra Pradesh Civil services (Conduct) Rules, 1964 as he acted in a manner which placed his official position under embarrassment.

**Charge – III:**

That the uniformed Government Servant being the head of the excise unit failed to implement the instructions of superior officers regarding MRP violations thereby he violated Rule 3(2) of Andhra Pradesh Civil services (Conduct) Rules, 1964 as he behaved in a manner which is unbecoming of Government Servant.

**RAJAT BHARGAVA**
**SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)**

**//FORWARDED :: BY ORDER//**

**SECTION OFFICER**

## ANNEXURE- II

**STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF THE ARTICLE OF CHARGES FRAMED AGAINST SRI Y.B.BHASKARA RAO, THE THEN DEPUTY COMMISSIONER, ELURU, WEST GODAVARI DISTRICT.**

Vide Govt memo No.30021/12/Ex.I(1)/2018, Revenue (Excise-I), Department, Dt:01.02.2018 enclosing allegation report received from CM Office in CMP No.90/SPL.CS/2018, dt:08.01.2018 instructed the CPE & DOE to take immediate action in the matter and furnish report to the Government for taking further action in the matter.

The content of the allegation petition was as follows:

Taking advantage of the corrupt practices of the Deputy Commissioner, Excise wine shop owners are selling liquor above MRP.

Y.B.Bhaskara Rao, the then Deputy Commissioner, Excise, West Godavari District gave permission to the owners of wine shops to sell liquor above MRP by accepting huge bribe behalf of the Deputy Commissioner, Uppuluri Giri, President, Wine Shop Owners Association, West Godavari District collected Rs:1,42,80,000/ from wine shop owners @ Rs.30,000/- from each. He gave Rs.46 Lakh to the Deputy Commissioner, Excise on 04.12.2017 and the remaining amount will be distributed among the Excise Staff and local Politian's in the District.

On 05.12.2017 the Deputy Commissioner, Excise went abroad by availing One month leave.

All wine shop owners in the district were selling liquor for Rs.40 to Rs.100 above MRP (Based on brand). Excise officials are also taking monthly mamools from the wine shop owners @ Rs.40,000/- from each.

Srilatha, Assistant Commissioner, who was in-charge of Deputy Commissioner at that time was afraid of the issue of sale of liquor above MRP.

There is need for interference of the higher officials MRP, besides initiating departmental action against the errant officials.

As per the instructions of the DOE,AP, Vijayawada; Sri R.Raghavendra, DSP, STF, Team-V submitted a report that he formed (4) Teams for gathering intelligence about MRP Violation in West Godavari District, headed by One Proh. & Excise Sub-Inspector with the assistance of concerned staff and conducted decoy operation (43 Nos) on MRP Violation in all the following SHO limits of West Godavari District. The details of team heads and the allotted SHO limits is furnished here under:-

| S.No. | Name & Designation of the Team Head with concerned STF (Team No.) | S.H.O. Limits allotted |
|---|---|---|
| 1 | Sri S.Swaminathan, P&ESI, STF, Team-V, A.P.,Vijayawada. | 1. Eluru<br>2. Bhimadolu<br>3. Tadepalligudem |
| 2 | Sri P.Subbireddy, P&ESI, STF, Team-III, A.P.,Vijayawada . | 1. Bhimavaram<br>2. Narasapuram<br>3. Akiveedu<br>4. Palakollu |
| 3 | Sri Ramakrishna, P&ESI, STF, Team-III, A.P., Vijayawada. | 1. Tanuku<br>2. Polavaram<br>3. Kovvuru |
| 4 | Sri Achyutharao, P&ESI, STF, Team-II, A.P., Vijayawada. | 1.Jangareddigudem<br>2. Chinthalapudi |

The incidents were recorded by the concerned in Android Phones through both video graph and audio in electronic media and the details, intelligence and violations noticed in the said operation were furnished by the concerned team heads which are enclosed in the attachments.

Further the DSP, STF, Team-V submitted the detailed reports submitted by the above Team Heads with regard to the details of decoy operation and intelligence on MRP Violation in the allotted SHO limits to them which are attached in the enclosures.

Contd.,2

Further the DSP, STF, Team-V submitted that during the operation conducted in West Godavari District on 09.09.2018, MRP violation of Rs.10/- was prevailing in all SHO limits of the District, except in Eluru City where MRP Violation of Rs.5/- was noticed.

It is revealed that the then Deputy Commissioner, Excise, Eluru, West Godavari committed the grave misconduct by giving permission to sell the liquor above the MRP Rates by accepting huge bribes which is a serious negligence, criminal misconduct and dereliction of duty. Hence the charges are framed.

**RAJAT BHARGAVA**
**SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)**

**//FORWARDED :: BY ORDER//**

**SECTION OFFICER**

**ANNEXURE-III**

**LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI Y.B.BHASKARA RAO, THE THEN DEPUTY COMMISSIONER, ELURU, WEST GODAVARI DISTRICT ARE PROPOSED TO BE SUSTAINED**:

1. Report submitted by Sri R.Raghavendra, DSP, STF, Team-V, dt:10.09.2018.
2 Any other document as may be necessary at the time of regular enquiry.

**RAJAT BHARGAVA**
**SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)**

**//FORWARDED :: BY ORDER//**

**SECTION OFFICER**

**ANNEXURE-IV**

**LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGES FRAMED SRI Y.B.BHASKARA RAO, THE THEN DEPUTY COMMISSIONER, ELURU, WEST GODAVARI DISTRICT ARE PROPOSED TO BE SUSTAINED:**

1. Sri S.Swaminathan, P&ESI, STF, Team-V, along with his team A.P., Vijayawada.
2. Sri P.Subbireddy, P&ESI, STF, Team-III, A.P., Vijayawada, along with his team A.P., Vijayawada.
3 .Sri Ramakrishna, P&ESI, STF, Team-III, A.P., Vijayawada, along with his team A.P., Vijayawada.
4. Sri Achyutharao, P&ESI, STF, Team-II, A.P., Vijayawada along with his team A.P., Vijayawada.
5. Any other witnesses required during the enquiry.

**RAJAT BHARGAVA**
**SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)**

**//FORWARDED :: BY ORDER//**

**SECTION OFFICER**